

Berg, Elizabeth

From: Elaine O'Neil <Elaine.O'Neil@sfgov.org>
Sent: Tuesday, March 05, 2013 1:10 PM
To: Berg, Elizabeth
Subject: Gonzalez Bucket and Drum Inspector

Thanne,

Are you still needing to track down the former PUC employee who inspected Gonzalez Bucket and Drum? His name is Terry Leong. Unfortunately, I have been unable to track down his telephone number or other contact information, although he apparently is still living in the City.

Elaine M. O'Neil
Deputy City Attorney
City and County of San Francisco
1390 Market Street, 7th Floor
San Francisco, CA 94102
Tel: 415-554-3881
Fax: 415-554-3985
Email: elaine.o'neil@sfgov.org

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Berg, Elizabeth

From: Elaine O'Neil <Elaine.O'Neil@sfgov.org>
Sent: Wednesday, February 27, 2013 11:30 AM
To: Berg, Elizabeth
Cc: Cooper, Craig; DUTTA, ABHIK; Fong, YvonneW
Subject: Re: FW: property ownership (Yosemite Creek)

Thanne,

Answers to your questions are as follows:

Is the Port Commission of San Francisco the property owner of the slough? Or is it more accurate to state that the land is held in trust, the people of California are the beneficiaries and the Port Commission is the trustee? ***The answer is yes to both questions. The City and County of San Francisco, acting by and through its Port Commission, owns the Yosemite Slough property in trust for the benefit of the people of the State of California. The Yosemite Slough property is subject to the public trust for commerce, navigation and fisheries, as well as the use and other restrictions imposed under the Burton Act (Stats 1968, Ch. 1333, as amended) and the Burton Act Transfer Agreement of 1969.***

Is the Port Commission a separate entity than the City? ***The Port of San Francisco is an Enterprise Department of the City and County of San Francisco. The Port Commission controls and manages the Port property that was transferred to the City under the Burton Act.***

Can I assume that you represent both entities? ***Yes, Section B.585 of the City Charter names the City Attorney as the legal advisor to the Port Commission.***

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From: "COX, ELIZABETH"
To: Elaine M O'Neil ,
Cc: "Cooper, Craig" , "Fong, yfong" , "DUTTA, ABHIK"
Date: 02/20/2013 09:41 AM
Subject: FW: property ownership

Elaine:

Just so I understand, is the Port Commission of San Francisco the property owner of the slough? Or is it more accurate to state that the land is held in trust, the people of California are the beneficiaries and the Port Commission is the trustee? Is the Port Commission a separate entity than the City? Or can I assume that you represent both entities?

Thanks

-----Original Message-----

From: Cooper, Craig
Sent: Tuesday, February 19, 2013 12:00 PM
To: COX, ELIZABETH; DUTTA, ABHIK
Cc: Fong, yfong
Subject: FW: property ownership

-----Original Message-----

From: Amy Brownell [<mailto:Amy.Brownell@sfdph.org>]
Sent: Tuesday, February 19, 2013 11:50 AM
To: Cooper, Craig
Cc: Elaine O'Neil; dpuchalski@newfields.com
Subject: property ownership

Craig:

the SF Port has confirmed the manner in which it holds the Yosemite Slough property as follows:

"City and County of San Francisco, acting by and through its Port Commission, as trustee on behalf of the people of the State of California under Chapter 1333 of the Statutes of 1968, as amended"

please insert this information in the appropriate location(s) in the EECA that discuss property ownership

call me if you have any questions - cell 925-876-0453

thanks,
Amy Brownell, P.E.
San Francisco Health Department
1390 Market St., Suite 410
San Francisco, CA 94102
415-252-3967
fax 415-252-3889
amy.brownell@sfdph.org

Berg, Elizabeth

From: Elaine O'Neil <Elaine.O'Neil@sfgov.org>
Sent: Tuesday, February 05, 2013 3:08 PM
To: COX, ELIZABETH
Cc: Cmplxlit Inbox; Cooper, Craig; DUTTA, ABHIK; Fong, yfong
Subject: Re: Response to your January 3, 2013 email -- Yosemite Creek

Thanne,

I've been in touch with Bruce Seale via email. He is presently out of the country on vacation. He says he does not have contact information for the two prior inspectors. Can you send me their names? If so, I will try to find out whether we can locate them.

Elaine M. O'Neil
Deputy City Attorney
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San Francisco, CA 94102
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From: Cox,Elizabeth@epamail.epa.gov
To: Elaine O'Neil ,
Cc: Dutta.Abhik@epamail.epa.gov, Cmplxlit Inbox , Cooper.Craig@epamail.epa.gov, Fong.YvonneW@epa.gov
Date: 01/23/2013 04:12 PM
Subject: Re: Response to your January 3, 2013 email -- Yosemite Creek

Elaine:

Thank you for this information. In regards to the Gonzalez facility, the city Environmental Compliance staff have been inspecting the facility from 1979 to 2004. Abhik was able to locate the city inspector from 1984 to 2004, Bruce Seale. Mr. Seale, a current employee of the City, has been helpful in describing the general housekeeping aspects of the facility but the sampling performed did not test for metals or PCBs. Mr. Seale stated that there were two inspectors for the facility prior to him who have since retired. Mr. Seale did not provide a name or contact information. Based on the information provided by you, we have reason to believe that these individuals could provide important information as part of our investigation. Is there anyway that the City could provide these individuals' name and last known contact information?

Thank you,

Thanne Cox
Attorney Advisor
US Environmental Protection Agency Region 9

Mail Code ORC-3
75 Hawthorne Street
San Francisco, California 94105-3901
(415) 972-3908
(415) 203-6104 (cell)
cox.elizabeth@epa.gov

From: Elaine O'Neil
To: Elizabeth Cox/R9/USEPA/US@EPA,
Cc: Abhik Dutta/R9/USEPA/US@EPA, Craig Cooper/R9/USEPA/US@EPA, YvonneW Fong/R9/USEPA/US@EPA, Cmplxlit Inbox
Date: 01/08/2013 01:54 PM
Subject: Response to your January 3, 2013 email -- Yosemite Creek

Thanne,

This responds to your January 3, 2013 email providing the City with a list of parties for which EPA asked the City to search its Industrial Waste Program historical records. My client reports that only three of the listed entities were regulated under the City's Pretreatment Program: Coca-Cola USA, Die and Tool Products, and Gonzalez Bucket & Drum Co.

SFPUC has gathered its records for these dischargers and made them available for download via the following links. Please let me know if you have any further questions.

- [Coca Cola 1971-1992 Historical Records](#)
- [Die & Tool Products Inc 1995-2006 Historical Records](#)
- [Gonzalez Steel Drum Mfg Inc 1979-2005 Historical Records](#)

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